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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,516	05/13/2005	Michel Zamfiroiu	BDM-05-1041	9933
35811 7590 11/05/2008 IP GROUP OF DLA PIPER US LLP ONE LIBERTY PLACE 1650 MARKET ST, SUITE 4900 PHILADELPHIA, PA 19103				
EXAMINER SANDERS, AARON J				
ART UNIT		PAPER NUMBER		
2168				
MAIL DATE		DELIVERY MODE		
11/05/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/527,516	Applicant(s) ZAMFIROIU, MICHEL
Examiner AARON SANDERS	Art Unit 2168

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 October 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☒ The Notice of Appeal was filed on 23 September 2008. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 13-15 and 17-24.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Tim T. Vo/
Supervisory Patent Examiner, Art Unit 2168

Continuation of 11, does NOT place the application in condition for allowance because:

As per Applicant's argument that Klein does not teach "a table in the main database that is able to organize the lengths of evolution between the identifiers of the successive and alternative states of the database," the Examiner assumes Applicant is referring to the limitation "wherein the main database comprises at least one table with organized development links between the unique digital identifiers of successive and alternative states of the main database." The Examiner cited Fig. 2 and col. 6, lines 8-16, "The rollback mechanism 32 journals transactions in a transaction table 34... The actual data value changes are stored as linked transaction table entries," where the claimed "main database" is the referenced database 23 and the claimed "development links" are the referenced links between "transaction table entries." Applicant has not pointed out how the claimed limitation differs from the cited reference.

As per Applicant's argument that Klein does not teach the "reading step the ability to intercept an original request to rebuild a modified request of addressing the historical database," the Examiner assumes Applicant is referring to the limitation "receiving an original request associated with the unique digital identifier of a target state; transforming the original request to construct a modified request for addressing the internal historical database comprising criteria of the original request and the unique digital identifier of the target state."

As per "receiving an original request associated with the unique digital identifier of a target state," the Examiner cited Fig. 10 and col. 8, lines 30-43, "The purpose of this routine is to access the retained data values stored in the transaction table entries 35 (shown in FIG. 2) associated with the system change number for the database 23 as of the requested query time," where the claimed "original request" is the referenced "access" and the claimed "unique digital identifier of a target state" is the referenced "system change number."

As per "transforming the original request to construct a modified request for addressing the internal historical database comprising criteria of the original request and the unique digital identifier of the target state," the Examiner cited see col. 8, lines 9-17, "A temporal access provides a logical view of retrieved data values as a 'snapshot' taken as of the requested access time. Thus, the environment of the snapshot must first be retrieved (block 141) from the transaction table 34 (shown in FIG. 2). The environment includes the transaction identifier xid, relative user block address rdba, and system change number scn as of the requested query time," where the claimed "modified request" is the referenced "temporal access," the claimed "criteria of the original request" is the referenced "relative user block address" and the claimed "target state" is the referenced "system change number."

The Examiner does not see how the cited "temporal access" is different from the claimed "modified request." The limitation states that the "modified request... compris[es] criteria of the original request," which appears to be the same as Applicant's argument that Klein's "temporal access" comprises "criteria defined in the original request." Further, as stated above, the claimed "criteria of the original request" is the referenced "relative user block address" and the claimed "target state" is the referenced "system change number."

Thus, the Final rejection mailed 23 June 2008 is maintained.